



# PHILIP MORRIS

INCORPORATED

Law Department—Patent Section

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TO: Howard K. Kothe, Esq.  
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FROM: S. Hutcheson

DATE: 27 June 1977

SUBJECT: 2-CYANO N-SUBSTITUTED HETEROCYCLIC COMPOUNDS  
Helf. 582-824--PM 640

In response to the second Office Action, Ted Sanders has thrown up his hands in despair. He would like to discuss this Action with you and is willing to argue his case with the examiner, if necessary. With regard to the references "T" and "U" cited against the case, I think Ted's arguments would be similar to those stated in the first response. The use of lithium aluminum hydride would give diminished, if any, yield in that the reaction cannot be controlled. Selection of the proper reducing agent was certainly not a matter of choice; it was predicated on the basis that it might work, although some here doubted that it would.

Ted suggested the possibility of amending Claim 1 to narrow the scope of the R groups if you feel this is advisable. I'm certain that after discussing the action with Ted you will be able to move on this case. Ted's number is 271-5865.

If I can be of further assistance in obtaining additional data for you, please let me know. I'm sorry I can't give you more definitive answers with regard to this case.

ceh

cc: T. Osden

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JUN 28 1977  
T. S. OSDENE

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